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July 22, 2005

Adrian Villarreal Name

Signature

Date

Attorney's Docket No. 42P14248X

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re F	Patent Application of:)	
	Nicolaescu et al.) Examiner:	Krystyna Suchecki
Applic	ation No.: 10/603/379) Art Unit:	2882
Filed:	June 24, 2003)	
For:	POLARIZATION INSENSITIVE METHOD AND APPARATUS FOR SWITCHING AND MODULATING AN OPTICAL BEAM)))	
Comm P.O. B	top Amendment issioner for Patents ox 1450 ndria, VA 22313-1450		

STATEMENT UNDER 37 C.F.R. §1.97(e)

Sir:

I hereby certify (as indicated by an "X" to the left of the appropriate paragraph):

X That each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

> That no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing the Information Disclosure Statement.

> > Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 7/22/04 12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025-1026 (206) 292-8600

Lisa Tom Reg. No. 52,291 JUL 2 6 2005

ttorney's Docket No. 42P14248X

PATENT

Krystyna Suchecki

2882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Art Unit:

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Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

BEAM

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

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(Date of Deposit)

Adrian Villarreal

(Type or printed name of person mailing correspondence)

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph): 37 C.F.R. §1.97(b). 37 C.F.R. §1.97(c). If so, then enclosed with this Information Χ Disclosure Statement is one of the following: X A statement pursuant to 37 C.F.R. §1.97(e) or A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p). 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following: (1) A statement pursuant to 37 C.F.R. §1.97(e); and A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) (2) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: July 22, 2005

Lisa Tom

Reg. No. 52,291

12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025 (206) 292-8600

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800stipue	or Form 1449	/PTO		Complete if Known		
NFORMATION DISCLOSURE					Application Number	10/603,379
					Filing Date	June 24, 2003
JUL 2 6 2005	° \$\$TAT{		ENT BY APPLICA	First Named Inventor:	Nicolaescu et al.	
[,	<i>(5)</i>	(use as	many sheets as necessary)	Art Unit	2882	
(use as many sheets as necessary)					Examiner Name	Krystyna Suchecki
Sheet	1		of	11	Attorney Docket Number	42P14248X
			U.S. PA	TENT DOCUMENTS	S	
Examiner Initials*	Cite No.1	Numt	Document Number ber-Kind Code ² (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-	5,481,636	01-02-1996	Fukuda et al.	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	l T⁵
	2	PCT/US03/15387	05-23-2005	PCT Written Opinion		

Examiner	Date Considered	
Signature		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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